

Minutes of Land Use, Parks and Environment Committee
Tuesday, November 4, 2008

Chair Fritz Ruf the meeting to order at 8:30 a.m. and led the Committee in the Pledge of Allegiance.

Committee Present: Supervisors Fritz Ruf (Chair) James Jeskewitz, Walter Kolb, Robert Hutton, and Janel Brandtjen (arrived at 8:35). Absent: Supervisors Gilbert Yerke and Ted Rolfs.

Also Present: Chief of Staff Mark Mader, Legislative Associate Karen Phillips, Legislative Policy Advisor Ann Olson, Planning and Zoning Manager Dick Mace, Mr. James Siepmann of Siepmann Family Properties, Senior Land Use Specialist Amy Barrows, Senior Financial Analyst Bill Duckwitz, Parks and Land Use Director Dale Shaver, and Principal Assistant Corporation Counsel Debbie Price.

Jeskewitz moved, second by Kolb, to approve the minutes of October 7, 2008. Motion carried 4-0.

Future Meeting Dates

- November 18, 2008
- December 9, 2008

Brandtjen arrived at 8:35 a.m.

Discuss and Consider Ordinance 163-O-058: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Summit And The Town Of Summit Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 23, T7N, R17E, Town Of Summit, Waukesha County, Wisconsin, From The A-2 Rural Home, AD-10 Agricultural Density-10 And C-1 Conservancy Districts (County) And The A-2 Agricultural District-2 (Town) To The R-1 Residential And C-1 Conservancy Districts (County) And The R-1 Estate Residential District (Town) (SZT-1678)

Mace explained the location of this approximately 19-acre property in the Town of Summit. Siepmann, the owner and petitioner, distributed maps depicting the old and potential new zoning for review by the Committee members. Mace and Siepmann further explained the proposed reconfiguration of the parcel boundaries, allowing for a 7.5-acre parcel to contain an existing house and outbuilding. The remaining acreage would be retained in a 9.5-acre parcel for a potential future expansion of a proposed residential subdivision to the west and a 1.2-acre outlot that would allow for a future potential public road along the existing Timber Trail private road alignment.

MOTION: Hutton moved, second by Jeskewitz, to approve Ordinance 163-O-058. Motion carried 5-0.

Discuss and Consider Ordinance 163-O-059: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Summit And The Town Of Summit Zoning Ordinance By Conditionally Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 21, T7N, R17E, Town Of Summit, Waukesha County, Wisconsin, From The A-P Agricultural Land Preservation District (County) And The A-1 Agricultural District-1 (Town) To The A-5 Mini-Farm District (County) And The A-2 Agricultural District-2 (Town) (SZT-1664A)

Mace discussed this ordinance allowing the division of a 62-acre parcel in the Town of Summit. The southerly 28-acres would be sold to Hope Evangelical Lutheran Church for a potential future church site. The church intends to raze the abandoned residence on the property, which is beyond repair. The northerly 33.7-acres would be retained by the current owners. The continued agricultural use of the land in the near future is consistent with the zoning and plan designations for the property.

MOTION: Hutton moved, second by Jeskewitz, to approve Ordinance 163-O-059. Motion carried 5-0.

Discuss and Consider Ordinance 163-O-060: Amend The District Zoning Map Of The Waukesha County Shoreland And Floodland Protection Ordinance And The Waukesha County Zoning Code For The Town Of Oconomowoc By Rezoning Certain Lands Located In Part Of The NE ¼ And NW ¼ Of Section 19 And Part Of The NE ¼ And NW ¼ Of Section 20, T8N, R17E, Town Of Oconomowoc, Waukesha County, Wisconsin, From The P-I Public And Institutional And C-1 Conservancy Districts To The A-P Agricultural Preservation And C-1 Conservancy Districts (SCZ-1679)

Mace described the four properties to be rezoned in the Town of Oconomowoc. All properties are currently used for agricultural purposes, and several areas are designated as wetland and primary environmental corridor. Parts of the properties were used for the reconstruction of Lang Road and the new Hwy. 16/67 bypass. The proposed rezoning would allow for the continuation of agricultural uses on the properties and preserve the lands in open space for the protection and improved water quality of Lac La Belle Lake.

MOTION: Jeskewitz moved, second by Hutton, to approve Ordinance 163-O-060. Motion carried 5-0.

Discuss and Consider Ordinance 163-O-061: Amend The Text Of The Town Of Delafield Zoning Code By Repealing And Recreating Various Sections Of Chapter 17, Regarding Definitions For Hot Tubs, Open Cell Pavers, Open Space, Service Pedestal And Utility Structures And Amendments To The Provisions For Setbacks, Offsets, Walkways And Driveways Serving A Single Lot With Respect To Width And The Fencing Of Swimming Pools And Hot Tubs (ZT-1683)

Mace reviewed this ordinance as outlined. The proposed amendments include definitions of various items, which were not recognized a number of years ago when the original ordinance was adopted.

MOTION: Brandtjen moved, second by Kolb, to approve Ordinance 163-O-061. Motion carried: 5-0.

Discuss and Consider Resolution 163-R-005: Intent To Participate In Negotiation And Arbitration Process For The Eastern Expansion Of The Orchard Ridge Recycling And Disposal Facility

Shaver reviewed this ordinance as outlined. He explained that according to State statutes, Waukesha County is entitled to participate in the negotiation and arbitration process for the proposed expansion of a solid waste management facility owned by Waste Management of Wisconsin, Inc. This resolution authorizes the County to participate in the negotiations, and to appoint two individuals to serve as the Waukesha County members of the local committee that will negotiate and arbitrate with Waste Management of Wisconsin, Inc. concerning the proposed expansion.

MOTION: Jeskewitz moved, second by Kolb to approve Ordinance 163-R-005. Motion carried 5-0.

Motion to Reconsider Ordinance 163-O-046: Amend The Waukesha County Shoreland And Floodland Protection Ordinance By Amending Various Sections Pertaining To The Regulation Of Floodplains (SZ-1680)

Ruf moved, second by Brandtjen, to reconsider Ordinance 163-O-046. Motion carried 5-0.

Discuss and Consider Ordinance 163-O-046: Amend The Waukesha County Shoreland And Floodland Protection Ordinance By Amending Various Sections Pertaining To The Regulation Of Floodplains (SZ-1680) (Material for Amendments to Follow)

MOTION: Jeskewitz moved, second by Kolb to approve Ordinance 163 -O-046.

Price explained that the proposed floodplain amendments to the Waukesha County Shoreland and Floodland protection Ordinance are before the LUPE Committee today for consideration of the changes

recommended by the Federal Emergency Management Agency (FEMA). FEMA has confirmed in writing that if these changes are adopted by the County Board by November 19, 2008, our ordinance will be compliant with the minimum federal regulations required for participation in the National Flood Insurance Program.

Barrows reviewed the memo dated November 3, 2008, outlining a summary of the changes required by FEMA. She went over each of the 13 items individually, while addressing the questions raised by the Committee members.

MOTION: Brandtjen moved, second by Ruf, to accept the amendments to Ordinance 163-O-046.
Motion carried: 5-0.

MOTION: Ruf moved, second by Kolb to approve Ordinance 163-O-046 as amended.
Motion carried: 5-0.

MOTION: Jeskewitz moved, second by Hutton, to adjourn the meeting at 10:31 a.m.
Motion carried: 5-0.

Respectfully submitted,

Jim Jeskewitz
Secretary